

SEND

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 09-219 PA (CTx)	Date	March 20, 2009
Title	Enrique Macias v. Carrington Mortgage Servs., LLC		

Present: The Honorable	PERCY ANDERSON, UNITED STATES DISTRICT JUDGE		
Paul Songco	Not Reported		N/A
Deputy Clerk	Court Reporter		Tape No.
Attorneys Present for Plaintiffs:		Attorneys Present for Defendants:	
None		None	

Proceedings: IN CHAMBERS — COURT ORDER

Before the Court is a Motion to Dismiss filed by defendant Carrington Mortgage Services, LLC (“CMS”) to the Complaint filed by plaintiff Enrique Macias (“Plaintiff”) (Docket No. 5). The Motion was calendared for a hearing on March 23, 2009. However, despite the Court’s clerk reminding the parties of the hearing and inquiring about the status of the action, the Court has not received an Opposition or a Notice of Non-Opposition and the parties have not otherwise sought to continue the hearing.

The Court therefore orders Plaintiff to show cause in writing why this action should not be dismissed for failure to file an Opposition. See Local Rule 7-12 (“The failure to file any required paper, or the failure to file it within the deadline, may be deemed consent to the granting or denial of the motion.”). The Court further orders Plaintiff’s counsel to show cause why he should not be sanctioned for failing to timely file an Opposition or a Notice of Non-Opposition. See Local Rules 7-13, 7-16. Plaintiff’s response to this order to show cause shall be filed by March 30, 2009. The failure to timely respond to this order to show cause may result in the dismissal of this action.

The Motion to Dismiss is deemed under submission. The Court will notify the parties once it has issued a ruling. The hearing calendared for March 23, 2009 is vacated and the matter taken off calendar.

IT IS SO ORDERED.